

S/N 10/519,174

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Ralf HERWIG	Examiner:	Meera Natarajan
Serial No.:	10/519,174	Group Art Unit:	1643
Filed:	September 1, 2005	Docket No.:	13027.0060USWO
Title:	METHOD FOR THE DETERMINATION OF CHARACTERISTICS AND/OR THE CLASSIFICATION OF CIRCULATING MACROPHAGES, AND ANALYSIS ARRANGEMENT FOR CARRYING OUT SAID METHOD		

PETITION TO REVIVE
UNINTENTIONALLY ABANDONED APPLICATION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

This Petition is in response to the Notice of Abandonment mailed June 17, 2009. The Notice of Abandonment states that the application is abandoned as the reply filed October 16, 2008 failed to place the application in condition for allowance. Withdrawal of the abandonment or, alternatively, revival of the application is respectfully requested for the following reasons.

Applicant submitted a response to the Final Office Action of May 16, 2008 on October 16, 2008, along with a Petition for Extension of Time and an Information Disclosure Statement. Applicant asserts that failure to submit the Request for Continued Examination was an oversight and wholly unintentional. An Advisory Action dated November 20, 2008 alerted Applicant to the status of the Amendment and the missing RCE. However, the period for reply had already expired on November 16, 2008, before the mailing date of the Advisory Action.

Applicant respectfully requests that the attached Amendment and Request for Continued Examination be entered into the above matter therefore completing all requirements for this application.

Alternatively, if the Petition to Withdraw Holding of Abandonment is found insufficient, please consider this a Petition for Revival of an application for Patent Abandoned Unintentionally. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137 was unintentional. Revival of the application is respectfully requested.

Payment is made by credit card in the amount of \$810.00 to cover the required fee for a small entity.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725.



Respectfully submitted,

MERCHANT & GOULD P.C.

Dated: _____

9/17/09

By: _____

Gregory A. Sebald
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GAS/km